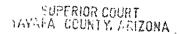
Office of the Yavapai County Attorney

JEFFREY G. PAUPORE, SBN 007769 STEVEN A. YOUNG, SBN016838 Deputy County Attorney YCAO@co.yavapai.az.us

Attorneys for STATE OF ARIZONA



2011 AUG 12 AM 10: 41

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

STATE OF ARIZONA,

Plaintiff.

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STEVEN CARROLL DEMOCKER,

Defendant.

CAUSE NO. P1300CR201001325

OBJECTION TO REQUESTED JURY INSTRUCTIONS

Assigned to Hon. Warren R. Darrow **Division PTB**

The State of Arizona, by and through Sheila Sullivan Polk, Yavapai County Attorney, and her deputy undersigned, hereby objects to Defendant's "Requested Criminal Jury Instructions."

In addition to a number of RAJI criminal jury instructions, of which the State reserves the right to object based upon evidence produced at trial, the Defendant has requested two additional instructions: Third Party Culpability and Consciousness of Innocence.

Neither of these are approved RAJI instructions. In fact, Defendant provides no support (i.e. case law, statue or rule) whatsoever. This is reason alone to decline to give these proposed instructions. The proposed third party culpability instruction is covered by RAJI Standard Criminal 16-Evidence of Any Kind and RAJI Standard Criminal 5b(1)-Burden of Proof. The proposed consciousness of innocence instruction is a misstatement of the law and, more importantly, the facts in this case. The facts produced at trial will require the Court to give RAJI Standard Criminal 9-Flight or Concealment.

Phone: (928) 771-3344 Facsimile: (928) 771-3110

1	Based upon the foregoing, the State respectfully requests that the Court decline to give the
2	Defendant's "requested criminal jury instructions."
3	RESPECTFULLY SUBMITTED this day of August, 2011.
4	Sheila Sullivan Polk
5	YAVAPAI COUNTY ATTORNEY
6	Slaven 1 Januar
7	By: X Young /
8	Deputy County Attorney
9	COPY of the foregoing Emailed this Light day of August, 2011, to: Honorable Warren R. Darrow Division 6 Yavapai County Superior Court Via email to Diane Troxell: DTroxell@courts.az.gov
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14	Craig Williams Attorney for Defendant Yavapai Law Office 3681 No. Robert Rd. Prescott Valley, AZ 86314 Via email to yavapaiolaw@hotmail.com
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18	Greg Parzych Co-counsel for Defendant 2340 W. Ray Rd., Suite #1 Chandler, AZ 85224 via email to: gparzlaw@aol.com
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